

REMARKS

In the Office Action mailed from the United States Patent and Trademark Office on March 3, 2003, the Examiner rejected claims 1-4, 6-14 and 16-20 under 35 U.S.C. §102(b) as being anticipated by Weingarden et al (U.S. Patent No. 6,164,975, hereinafter "Weingarden"), and rejected claims 5 and 15 under 35 U.S.C. §103(a) as being unpatentable over Weingarden. Accordingly, Applicants respectfully provide the following:

Rejection under 35 U.S.C. § 102

In the Office Action, the Examiner rejected claims 1-4, 6-14 and 16-20 under 35 U.S.C. §102(b) as being anticipated by Weingarden. Applicants respectfully submit that the claim set as provided herein is not anticipated by the cited reference.

The standard for a Section 102 rejection is set forth in M.P.E.P 706.02, which provides:

"... for anticipation under 35 U.S.C. 102, the reference must teach every aspect of the claimed invention either explicitly or impliedly. Any feature not directly taught must be inherently present."

Applicants respectfully submit that the cited reference does not teach every aspect of the claim set as provided herein and therefore does not anticipate the claims of the present invention. In particular, independent claims 1, 11 and 20 include limitations relating to providing an electronic source content having a plurality of electronic anchors; utilizing a first anchor in the source content to establish a first node associated with the source content; utilizing a second anchor in the source content to establish a second node associated with the source content; selectively establishing one or more relationships between the first and second nodes, wherein the relationships are based on at least one of: (i) a time and space relation; (ii) an objective assignment of meaning relation; (iii) a subjective assignment of meaning relation; (iv) a planning relation; (v) an implementation relation; and (vi) a central relation; selectively providing one or

more educational expressions, based on the relationship, that connect the first and second nodes; selectively preserving the first node, the second node, the one or more relationships in a computer readable medium; and selectively providing information from the computer readable medium. The reference cited by the examiner does not teach or imply these limitations.

Instead, Weingarden teaches an interactive instructional system realizing an eventstream based educational methodology and enabling an interactive, adaptive learning environment. Continuously tracking and evaluating learner interaction, the system creates and updates a profile of the learner's cognitive style and achievement level. Using this cognitive profile, the system adapts its presentations to the learner's cognitive style and demonstrated ability. Presentations take the form of eventstreams, which are branching sequences of multimedia objects called events. Some of the events contain substantially similar content presented in differing ways so that, using the learner's cognitive profile, the system can select the event that results in the greatest comprehension of the presented material. This selection is accomplished using a utility function that is based on the cognitive profile and that provides a measure of the teaching utility of each of the different cognitive styles. The system can adapt to the learner by updating the utility function through the use of preference relations which are determined through testing and that indicate that of the cognitive styles results in the greatest comprehension by the learner of the content contained within the presentations. The system includes an eventstream development environment which allows the content developer to use accessible libraries of events to create new eventstreams. The eventstreams are structured to follow the paradigm of observed history so that each topic can be presented in the historical context in which it developed. (Abstract) In particular, Weingarden teaches that the different event objects having substantially similar content are designed to accommodate different learner's differing cognitive styles. For this

purpose, each cognitive style and learner has a cognitive index associated therewith. Then, the learner's cognitive index can be used to determine which of two or more event objects covering substantially similar content will be presented to the user as a part of the eventstream. Preferably, the selection between two or more event objects is accomplished using a utility function that is unique to the learner and that provides a measure of the teaching utility of each of the different cognitive styles. (Col. 2, Lines 1-11)

Applicants respectfully submits that the reference cited by the Examiner does not teach or imply the limitations of independent claims 1, 11, or 20. Accordingly, for at least this reason, Applicant respectfully submits that the cited references do not teach every aspect of the claim set as provided herein and therefore do not anticipate nor make obvious the claim set as provided herein.

Applicant respectfully submits that for at least the reasons provided above, the claim set as provided herein overcomes all rejections made by the Examiner in the Office Action. Applicant further submits that the amendments provided herein do not include new matter as they are based on the disclosure of the application as originally filed.

Rejection under 35 U.S.C. § 103

In the Office Action, the Examiner rejected rejected claims 5 and 15 under 35 U.S.C. §103(a) as being unpatentable over Weingarden. Applicants respectfully submit that the claim set as provided herein is not made obvious by the cited reference.

As provided above, Weingarden teaches an interactive instructional system realizing an eventstream based educational methodology and enabling an interactive, adaptive learning environment. Continuously tracking and evaluating learner interaction, the system creates and

updates a profile of the learner's cognitive style and achievement level. Using this cognitive profile, the system adapts its presentations to the learner's cognitive style and demonstrated ability. Presentations take the form of eventstreams, which are branching sequences of multimedia objects called events. Some of the events contain substantially similar content presented in differing ways so that, using the learner's cognitive profile, the system can select the event that results in the greatest comprehension of the presented material. This selection is accomplished using a utility function that is based on the cognitive profile and that provides a measure of the teaching utility of each of the different cognitive styles. The system can adapt to the learner by updating the utility function through the use of preference relations which are determined through testing and that indicate that of the cognitive styles results in the greatest comprehension by the learner of the content contained within the presentations. The system includes an eventstream development environment which allows the content developer to use accessible libraries of events to create new eventstreams. The eventstreams are structured to follow the paradigm of observed history so that each topic can be presented in the historical context in which it developed. (Abstract) In particular, Weingarden teaches that the different event objects having substantially similar content are designed to accommodate different learner's differing cognitive styles. For this purpose, each cognitive style and learner has a cognitive index associated therewith. Then, the learner's cognitive index can be used to determine which of two or more event objects covering substantially similar content will be presented to the user as a part of the eventstream. Preferably, the selection between two or more event objects is accomplished using a utility function that is unique to the learner and that provides a measure of the teaching utility of each of the different cognitive styles. (Col. 2, Lines 1-11)

In contrast, independent claims 1, 11 and 20 of the present invention as provided herein, claim limitations relating to providing an electronic source content having a plurality of electronic anchors; utilizing a first anchor in the source content to establish a first node associated with the source content; utilizing a second anchor in the source content to establish a second node associated with the source content; selectively establishing one or more relationships between the first and second nodes, wherein the relationships are based on at least one of: (i) a time and space relation; (ii) an objective assignment of meaning relation; (iii) a subjective assignment of meaning relation; (iv) a planning relation; (v) an implementation relation; and (vi) a central relation; selectively providing one or more educational expressions, based on the relationship, that connect the first and second nodes; selectively preserving the first node, the second node, the one or more relationships in a computer readable medium; and selectively providing information from the computer readable medium. The reference cited by the examiner does not teach or suggest this limitation. And, in light of the inclusion of the limitations, the standard for a Section 103 rejection is set for in M.P.E.P 706.02(j), which provides:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or combine reference teachings. Second, there must be a reasonable expectation of success. Finally, **the prior art reference (or references when combined) must teach or suggest all the claim limitations.** The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). (Emphasis added).

Applicants respectfully submit that the prior art reference does not teach or suggest the limitations claimed. And, since the reference cited by the Examiner does not teach or suggest

each and every limitation of the independent claims, Applicant respectfully submits that the prior art references do not make obvious the claim set.

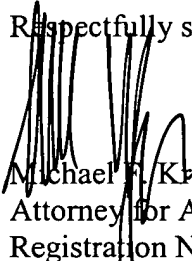
Thus, Applicant respectfully submits that none of the claims of the claim set provided herein is either anticipated or made obvious from the references cited by the Examiner.

CONCLUSION

Applicants submit that the amendments made herein do not add new matter and that the claims are now in condition for allowance. Accordingly, Applicants request favorable reconsideration. If the Examiner has any questions or concerns regarding this communication, the Examiner is invited to call the undersigned.

DATED this 4 day of August, 2003.

Respectfully submitted,


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